

REMARKS

The Claims in the case are 47-59, corresponding to 31-43, respectively.

THE REJECTION UNDER 35 U.S.C. § 101

The Office Action had rejected claims 36 and 42 under 35 U.S.C. § 101, asserting that the claims are directed to non-statutory subject matter. In response, the new claims 52 and 58, are directed to “isolated host cells” as suggested by the Examiner to overcome the rejection. Reconsideration and withdrawal of this aspect of the rejection are respectfully requested.

THE REJECTION UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

The Office Action rejected the claims 31-46 47-59. under 35 U.S.C. § 112, first paragraph, asserting that the claimed subject matter was not described in the specification, or lacking “written description” . Applicants respectfully traverse the rejection. The newly added claims recite the nine sequences which are described in the specification. These are described at pages 39-40 as well as the SEQ ID pages.

THE REJECTION UNDER 35 U.S.C. § 112, FIRST PARAGRAPH

The Office Action had rejected claim 44 under 35 U.S.C. § 112, first paragraph, for lack of enablement. This rejection is mooted as the claim has been canceled.

THE REJECTION UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

The Office Action had rejected claims 35 and 38 under 35 U.S.C. § 112, second paragraph, asserting that the claims were vague and indefinite. The language include in the newly added Claim 51 corrects the defect, and tracks from the language originally used in the original Claim 8; no new matter is involved.

THE REJECTION UNDER 35 U.S.C. § 102

The Office Action had rejected claims 45-46 under 35 U.S.C. § 102, as anticipated by Butler. This rejection is mooted as the claims have been canceled.

Respectfully submitted,

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